

COPYING PROHIBITED HRS 606-13/HRCP RULE 30(f)(2)

1 IN THE DISTRICT COURT OF THE FIRST CIRCUIT
2 STATE OF HAWAII
3
4 STATE OF HAWAII,) CASE NO. 1DTA 11-03671
5 Plaintiff,) 15-APR-2013
6 vs.) 08:52 AM
7 REED W. SAILOLA,)
8 Defendant.)

10 TRANSCRIPT OF ELECTRONICALLY-RECORDED PROCEEDINGS

11 before the Honorable David Lo, Judge presiding, on
12 December 6, 2012, in the above-entitled matter.

15 APPEARANCES:

16 ANNE CLARKIN For Plaintiff
17 JONATHAN BURGE For Defendant

23 Transcribed by:
24 Theresa A. Reese, RPR, CSR #428
Official Court Reporter
State of Hawaii

COPYING PROHIBITED HRS 606-13/HRCP RULE 30(f)(2)

1 BY THE COURT:

2 Q But, nonetheless, Mr. Sailola, if you do decide or
3 if you remain silent and not testify, the Court will not
4 hold that against you.

5 You understand that?

6 A Yes.

7 Q And if you testify, the prosecutor has the
8 opportunity to cross-examine you; correct?

9 A Yes.

10 Q All right. So through your attorney -- discussion
11 with your attorney, you've decided to remain silent and
12 not call any witnesses; correct?

13 A Yes.

14 Q And that's why you agreed and (indiscernible) to
15 do a stipulated fact trial; correct?

16 A Yes.

17 THE COURT: Okay. All right. Anything
18 further?

19 MR. BURGE: No, your Honor.

20 MS. CLARKIN: No, your Honor.

21 THE COURT: All right. Court will
22 sentence the defendant to 14 hours of substance abuse
23 rehabilitation as well as undergo substance abuse
24 assessment and possible treatment; one-year license
25 revocation; pay fees in the amount of \$107 DE, \$30 CVCF,

COPYING PROHIBITED HRS 606-13/HRCP RULE 30(f)(2)

1 \$25 neurotrauma, \$250 DDRA of which \$150 will be
2 suspended, and a fine of \$250.

5 MR. BURGE: Understood. And, your Honor,
6 if we could come back on January 7th, that would be the
7 appeal date because the 5th is on a Saturday.

8 THE COURT: All right. January 7th p.m.,
9 Courtroom 10D.

10 Mr. Burge, you can inquire up to
11 Mr. Matsunaga about being --

12 MR. BURGE: Yes.

13 THE COURT: -- on time in this courtroom.
14 Thank you.

15 MR. BURGE: Thank you, your Honor.

16 MS. CLARKIN: Just a second. Jonathan --

17 MR. BURGE: Yes.

18 MS. CLARKIN: -- the ALDRO was reversed
19 on --

20 MR. BURGE: Yes. So he imposed it. He
21 just suspended it.

22 MS. CLARKIN: Okay. Okay.

23 THE CLERK: Oh, you imposed, but did you
24 impose the license --

25 THE COURT: I did.

COPYING PROHIBITED HRS 606-13/HRCP RULE 30(f)(2)

1 MR. BURGE: But he's staying it pending
2 appeal.

3 THE COURT: Staying the entire sentence.

4 THE CLERK: Thank you.

5 (End of proceedings.)

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COPYING PROHIBITED HRS 606-13/HRCP RULE 30(f)(2)

1 STATE OF HAWAII)
2 CITY AND COUNTY OF HONOLULU) ss.
3 _____)
4

5 I, THERESA A. REESE, RPR, CSR# 428, do hereby
6 certify that the foregoing is a true and accurate
7 transcript of the electronically-recorded proceedings
8 had in connection with the above-entitled cause and that
9 said transcript was transcribed to the best of my
ability.

10 DATED: Honolulu, Hawaii, this 11th day of
11 April, 2013.

12

13

14

15

/s/ Theresa A. Reese

16

Theresa A. Reese, CSR# 428

17

18

19

20

21

22

23

24

25